



1FW

PATENT
Customer No. 22,852
Attorney Docket No. 08702.0128-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
WOLFMAN et al.) Group Art Unit: 1646
Application No.: 10/662,438) Examiner: Not Yet Assigned
Filed: September 16, 2003)
For: METALLOPROTEASE ACTIVATION OF)
MYOSTATIN, AND METHODS OF)
MODULATING MYOSTATIN ACTIVITY)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

FIRST SUPPLEMENTAL

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Each document listed in this Information Disclosure Statement was first cited in a communication from the International Searching Authority of the Patent Cooperation Treaty in a counterpart foreign application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication.

Copies of the listed documents are attached.

PATENT
Customer No. 22,852
Attorney Docket No. 08702.0128-00000

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 19, 2004

By: Mary K. Ferguson
Mary K. Ferguson
Reg. No. 51,675



OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

Atty. Soc. No.	08702.0128-00000	Appln. No.	10/662,438
Applicant	WOLFMAN et al.		
Filing Date	September 16, 2003	Group:	1646

U.S. PATENT DOCUMENTS

Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Huet et al., "Skeletal Muscle Cell Hypertrophy Induced by Inhibitors of Metalloproteases; Myostatin as a Potential Mediator," <i>Am. J. Physiol. Cell. Physiol.</i> 281:C1624-C1634 (2001)
	Wolfman et al., "Activation of Latent Myostatin by the BMP-1/Tolloid Family of Metalloproteinases," <i>PNAS</i> 100:15842-15846 (2003)
	International Search Report, PCT/US03/28907, mailed June 24, 2004

Examiner	Date Considered
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce